

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PATRICK S. LAMAY,

Petitioner,

Case Number: 2:09-CV-14764

v.

HON. GEORGE CARAM STEEH

JEFFREY WOODS,

Respondent.

_____ /

ORDER OF DISMISSAL WITHOUT PREJUDICE

Petitioner Patrick S. Lamay, is a state inmate currently incarcerated at the Marquette Correctional Facility in Marquette, Michigan. He filed a *pro se* petition for a writ of habeas corpus claiming that he is incarcerated in violation of his constitutional rights. The Court issued an Order to Correct Deficiency because Petitioner failed to submit two copies of his petition as required by Rule 3(a), Rules Governing Section 2254 Cases and also failed to submit either the \$5.00 filing fee or an application to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915. The Court required Petitioner to correct the deficiencies within thirty days and cautioned that failure to do so could result in dismissal of the petition. The time for correcting the deficiencies has passed and Petitioner has failed to do so.

Accordingly, **IT IS ORDERED** that the petition for a writ of habeas corpus is
DISMISSED WITHOUT PREJUDICE.

Dated: February 2, 2010

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
February 2, 2010, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk